



OFFICE OF THE SHERIFF

ARMANDO B. FONTOURA, SHERIFF

ESSEX COUNTY COURTS BUILDING

NEWARK, NEW JERSEY

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UNDERSHERIFFS  
NICHOLAS ROSAMILIA  
JESUS A. PADILLA

CHIEF  
JOHN D. DOUGH

\*\*\* SUP (Law) 06-012019 Seq 001 of 001  
SUPERIOR COURT OF NEW JERSEY LAW DIVISION - ESSEX COUNTY  
Docket No(s). L87706,  
J18013306

January 25, 2007

Between  
SOVEREIGN BANK  
Plaintiff  
- and -  
PHILLIP L MERRILL  
Defendant

Returnable  
ROMANO & ROMANO  
573 BLOOMFIELD AVE  
VERONA NJ, 07044  
Attorney

By virtue of the above stated and hereto annexed Writ to me directed, I did on December 22, 2006 at 1215 hours at the suit of the Plaintiff above named, attach the rights and credits, moneys, effects, goods, chattels, lands and tenements of the said Defendant, and particularly all his/her right, title, and interest of, in and to the hereafter described:

On the above date I levied upon all the right, title and interest of the defendant Phillip L. Merrill of in and tot he following constructive levy at 64 Undercliff Road, Millburn NJ 07041.

Constructive levy on the right, title and interest to the above property, no detailed inventory was taken as no contact was made after making numerous attempts and leaving notices with no reply from defendant.

Writ posted.

The undersigned, hereby value and appraise the rights and interests of the said Defendant at the sum of \$ unknown.

LOUIS LAROCCA

Sheriffs: x Officer \_\_\_ Investigator

**ROMANO & ROMANO, ESQS.**

**573 Bloomfield Avenue**

**Verona, NJ 07044**

**TEL. (973) 857-0788**

**FAX. (973) 857-9261**

**Attorneys for Plaintiff**

**2423**

**In the matter of:**

**Philip L. Merrill**

**Debtor**

**UNITED STATES  
BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

**CASE NO. 08-13191DHS**

**CERTIFICATION OBJECTING  
TO DEBTOR'S CHAPTER 13 PLAN  
FILED BY LMS SERVICES, INC.**

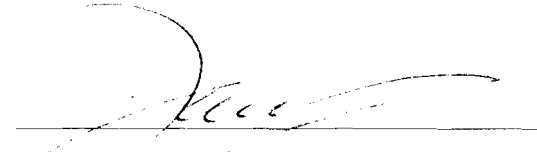
Janet B. Romano, Esq., hereby certifies as follows:

1. I am the attorney for LMS Services, Inc., assignee of the claim of Sovereign Bank and I am fully familiar with this file.
2. Sovereign Bank previously filed a claim with the Court (Claim No. 2) as a secured creditor. Said claim was transferred to LMS Services, Inc.
3. In addition thereto, on May 27, 2008 LMS Services, Inc., assignee of Sovereign Bank filed a secured claim (Claim No. 8).
4. On or about December 22, 2006, the Essex County Sheriff levied on all right, title and interest which the Defendant, Philip L. Merrill, had in property at 64 Undercliff Road, Millburn, New Jersey. A copy of the Sheriff's Levy is attached hereto as Exhibit "A"
5. I reviewed the Chapter 13 Plan filed by the debtor, Philip L. Merrill. He does not make a provision in his plan for payment to LMS Services, Inc., a secured creditor.
6. The debtor, in his Petition, lists the value of his real estate as \$650,000.00. He has a first mortgage on the property with an outstanding balance of \$434,567.00. Debtor has equity in the property to cover the debt of LMS Services, Inc.

7. The debtor should make provisions in his Plan for the payment of the LMS Services, Inc., debt.

I certify that the above statements made by me are true. I am aware if any of the above statements made by me are willfully false, I am subject to punishment.

May 28, 2008

A handwritten signature in black ink, appearing to read "Janet B. Romano", is written over a horizontal line.

Janet B. Romano, Esq.